

09/17/2002 14:54

NO. 386 0001

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
225 SOUTH SIXTH STREET
SUITE 4850
MINNEAPOLIS, MN 55402-4320

TELEPHONE: 612/321-2800

FACSIMILE: 612/321-9600

FAX RECEIVED

SEP 18 2002

GROUP 1600

FACSIMILE TRANSMISSION FROM: 612.321.9600

If any difficulties occur during transmission, 612.321.2800

DATE: *Sep. 17, 2002*

FILE: *09/782,841*

TO: *EXAM. DAVIS*

COMPANY:

FAX NO.: *703-872-9306*

FROM: *John Klos*

SENDER'S

PHONE:

612 321 2806

**RETURN
ORIGINAL
TO:**

NO. OF PAGES TO FOLLOW: *2*

ORIGINAL: WILL FOLLOW

COMMENTS:

*Response
to
Restriction Requirement*

CONFIDENTIALITY NOTICE: Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Fulbright & Jaworski L.L.P. at the above address via the U.S. Postal Service at our expense.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	BIEL, M.)	PATENT
)	Group Art Unit: 1642
Serial No.	09/782,841)	
)	Attorney Docket: 22,272-21
Filed:	February 14, 2001)	
)	Examiner: Davis, M.T.B..
Title:	Cellular or Acellular Organism)	Response
	Eradication via Photodynamic)	
	Activation of a Cellular or Acellular)	
	Organism Specific Immunological)	
	Response)	

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Dear Sir or Madam:

This is in response to the Official Action mailed September 9, 2002, and setting a 30 day time period from the mailing date within which to supply correction.

Applicant elects the claims 1-15, and 45 drawn to a method of treating a primary tumor and a metastatic tumor. All other claims are to be canceled.

Claims 4, 9, and 11 were previously canceled. As a result, claims 1-3, 5-8, 10, 12-15, and 45 are pending.

In the claims:

Please cancel claims 16-44.

Please amend claim 6 as follows:

6. (amended) The method of claim 5 wherein the administration of the photosensitizing agent is achieved [via one or more of the group containing] by an intravenous injection[, an injection proximate the primary tumor site, a topical administration, a subcutaneous injection, and an injection within the primary tumor site].

25209935.1